



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Myles Kimmitt  
Application No. : 10/620,635  
Filed : July 16, 2003  
Confirmation No. : not yet assigned  
For : PHYSICAL CODING SUB-LAYER FOR TRANSMISSION OF  
DATA OVER MULTI-CHANNEL MEDIA  
Attorney's Docket : SYNER-146AX

TC Art Unit: 2661

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope  
addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450 on 10-15-2003.

By: [Signature]  
Victor B. Lebovici  
Registration No. 30,864  
Attorney for Applicant

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the  
enclosed references listed on the attached copy of PTO Form #1449. The  
paragraph(s) marked below are applicable to this Information Disclosure  
Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached  
Information Disclosure Statement is being filed within three  
months of the filing date of the above identified national  
application or within three months of the date of entry of the  
national stage as set forth in 37 C.F.R. § 1.491 of the above  
identified application. Accordingly, applicant(s) believes that  
no fee or statement under 37 C.F.R. § 1.97(e) is required.

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- ☐ (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
  - ☐ a statement under 37 CFR § 1.97(e); or
  - ☐ the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- ☐ (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- ☐ (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- ☐ (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the

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undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

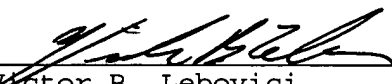
The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MYLES KIMMITT

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Enclosure  
297212



Date: October 15, 2003

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(REV. 05/03) <b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	<b>ATTY. DOCKET NO.</b> SYNER-146AX	<b>APPLICATION NO.</b> 10/620,635
	<b>APPLICANT:</b> Myles Kimmitt	
	<b>FILING DATE</b> July 16, 2003	<b>TC ART UNIT</b> 2661

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US2002/0046382	4/18/2002	Ganning Yang	714	758	
	US4,357,702	11/2/1982	Chase et al.	371	1	
	US4,445,215	4/24/1984	Svendsen	370	100	
	US4,486,739	12/4/1984	Franaszek, et al.	340	347	
	US4,593,393	6/3/1986	Mead, et al.	371	37	
	US4,791,639	12/13/1988	Afhedt, et al.	370	58	
	US4,864,303	9/5/1989	Yoram Ofek	341	95	
	US5,084,891	1/28/1992	Ariyavisitakul et al.	371	42	
	US5,132,975	7/21/1992	Avaneas	371	37.6	
	US5,867,601	2/2/1999	Phillips	382	250	

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

**OTHER DOCUMENTS** (including Author, Title, Date, Pertinent Pages, etc.)

	IEEE Draft P802.3ab/D6.0; Supplement to: Carrier Sense Multiple Access with Collision Detection (CSMA/CD) Access Method and Physical Layer Specification: Physical Layer Parameters and Specifications for 1000 Mb/s Operation over 4 pair of Category 5 Balanced Copper Cabling, Type 1000BASE-T; March 25, 1999

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.